

Alternative Construction Submittal – Proposed Checklist

24 CFR 3282.14 of the Procedural and Enforcement Regulations requires that each request for alternative construction include the following:

- A copy of the manufactured home design or plan for each nonconforming model which a manufacturer plans to build (where the request is not model specific, a representative design or plan may be acceptable, along with a list of approved models to be incorporated in the request);
- An explanation of the manner in which the design fails to conform to the Standards, including a list of the specific standards involved;
- An explanation of how the proposed design will result in homes that provide the same level of performance, quality, durability and safety as would be provided under the Standards;
- A copy of data adequate to support the request, including applicable test data, engineering calculations or certifications from nationally recognized laboratories;
- An estimate of the maximum number of manufactured home units affected and the location to which the units will be shipped;
- An indication of the period of time during which the manufacturer proposes to engage in the manufacture, sale or lease of the nonconforming homes (the Department has traditionally limited individual request approvals to two years);
- A copy of the proposed notice to be provided to home purchasers (see 3282.14(e));
- A list of the names and addresses of any retailers that would be selling the nonconforming homes; and
- A letter from the manufacturer's DAPIA indicating that the design(s) to which any nonconforming homes would be built meet the Standards in all other respects.

The Department has also generally required the following information when reviewing requests for alternative construction approval:

- Name and address of each facility that will be building homes to the alternative construction approval (especially for manufacturers with more than one production facility);
- Agreement from each facility's IPIA that it is capable of and will accept accountability for additional inspections that may be necessary for the proposed alternative construction. (Additional inspections may include special quality control inspection during production and construction, and assembly inspections for completion of a home at its final home site.).

When a manufacturer knows or believes that its request is not model specific, it should include the following additional items:

- A statement that the alternative construction is not model specific and, if not obvious, an explanation as to how it concluded that the construction is not model specific;

- A request for approval to allow additional models to be incorporated into the alternative constructions approval;
- Agreement from its DAPIA to notify the Department and the SAA of states where homes will be shipped of additional models that incorporate the alternative construction.

The Department has allowed manufacturers to work directly with DAPIAs to add additional retailers. When a manufacturer believes that it may want to include additional retailers to a request that is not model specific, it should include the following with its request for alternative construction approval.

- Agreement from its DAPIA to notify the Department and the SAA of states where homes will be shipped of additional that can receive and offer for sale homes built to the alternative construction approval.

If the Department issues an AC approval, the approval letter will identify conditions that the manufacturer must meet in order to use the approval. Conditions that are often required include:

- A list of special quality control checks that must be made during production to assure that aspects of the alternative construction are completed in accordance with requirements of the alternative construction approval and approved designs;
- A checklist identifying elements of construction that will be completed and inspected on-site as permitted by the alternative construction approval. The checklist should have a statement that all identified elements have been inspected and found to be in compliance with designs provided and must include a place for signature of an IPIA inspector or a qualified and experienced independent inspector acceptable to the IPIA;
- A checklist identifying elements of construction that will fall under the authority of the local jurisdiction or building official (i.e., aspects of construction not covered by the Standards).

Section 3282.14(f) requires that manufacturers provide the Department with the serial numbers, which includes the letters “AC”, assigned to each home produced in conformance with an alternative construction approval within 90 days of their date of manufacture. The Department often requires quarterly reports that include serial number, model, homeowner address, and inspection date. A manufacturer may propose its own method (database, spreadsheet, etc.) of completing and submitting these reports and may provide its proposed method with its request for alternative construction approval.